

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 3, 4 and 11 have been canceled. Claims 2 and 5-10, and amended claim 1 are in this application.

Claims 1-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,434,146 to Movshovich et al. in view of U.S. Patent No. 5,894,320 to Vancelette.

Amended independent claim 1 recites in part the following:

“a circuit for providing insert data; and

a transmission circuit for providing said input packet data to a data transmission path when said packet data validity instruction signal is valid, and **for transmitting said insert data to said data transmission path when the instruction signal is invalid,**

wherein **said insert data is information data regarding said selected channel.** (Emphasis ours.)

It is respectfully submitted that the combination of Movshovich and Vancelette as applied by the Examiner does not disclose the above features of claim 1. For example, the Examiner apparently asserts that Movshovich and, in particular, lines 5-7 and 47-56 of column

13 thereof, discloses a transmitting circuit which transmits insert data and that a gap signal is the same as the insert data. (See page 4, lines 11-19 of the present Office Action.)

Lines 6-7 of column 13 of Movshovich mentions a packet gap signal 903 which merely “defines the time slot when there is no data to be supplied to the link device.”

Accordingly, since the gap signal 903 merely defines a “time slot,” it is respectfully submitted that such gap signal is not the same as the insert data of claim 1 which is “information data regarding said selected channel.”

Therefore, it is respectfully submitted that claim 1 as presented herein is distinguishable from the combination of Movshovich and Vanceletter as applied by the Examiner.

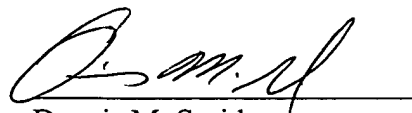
Claims 2 and 5-10 are dependent from claim 1 and, due to such dependency, are also distinguishable from the combination of Movshovich and Vanceletter as applied by the Examiner for at least the reasons previously described.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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